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PTO/SB/21 (04-07)

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## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

4

Application Number	10/632,302
Filing Date	August 1, 2003
First Named Inventor	Chester Li et al.
Art Unit	1633
Examiner Name	Nguyen, Quang
Attorney Docket Number	5026CON

### ENCLOSURES (Check all that apply)

- |   |  |   |
|---|--|---|
| <input checked="" type="checkbox"/> Fee Transmittal Form<br><input checked="" type="checkbox"/> Fee Attached<br><input type="checkbox"/> Amendment/Reply<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input checked="" type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input type="checkbox"/> Information Disclosure Statement<br><br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Reply to Missing Parts/ Incomplete Application<br><input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation<br><input type="checkbox"/> Change of Correspondence Address<br><br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><br><input type="checkbox"/> CD, Number of CD(s) _____<br><input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC<br><br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><br><input checked="" type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)<br><br><input type="checkbox"/> Proprietary Information<br><br><input type="checkbox"/> Status Letter<br><br><input type="checkbox"/> Other Enclosure(s) (please identify below): |
|---|--|---|

Remarks

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Genzyme Corporation		
Signature			
Printed name	Jennifer Tousignant		
Date	May 16, 2007	Reg. No.	54,498

### CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name	Michele Silver	Date	May 16, 2007

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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# **PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)** **FY 2006**

(Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).)

Docket Number (Optional)

5026CON

Application Number 10/632,302

Filed August 1, 2003

For Genetic Modification of the Lung as a Portal for Gene Delivery

Art Unit 1633

Examiner Nguyen, Quang

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above identified application.

The requested extension and fee are as follows (check time period desired and enter the appropriate fee below):

	Fee	Small Entity Fee	
<input type="checkbox"/> One month (37 CFR 1.17(a)(1))	\$120	\$60	\$ _____
<input type="checkbox"/> Two months (37 CFR 1.17(a)(2))	\$450	\$225	\$ _____
<input type="checkbox"/> Three months (37 CFR 1.17(a)(3))	\$1020	\$510	\$ _____
<input type="checkbox"/> Four months (37 CFR 1.17(a)(4))	\$1590	\$795	\$ _____
<input checked="" type="checkbox"/> Five months (37 CFR 1.17(a)(5))	\$2160	\$1080	\$2160

☐ Applicant claims small entity status. See 37 CFR 1.27.

05/21/2007 CMEGA1 00000003 071074 10632302

☐ A check in the amount of the fee is enclosed.

01 FC:1255 2160.00 DA

☐ Payment by credit card. Form PTO-2038 is attached.

☐ The Director has already been authorized to charge fees in this application to a Deposit Account.

☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to

Deposit Account Number 07-1074. I have enclosed a duplicate copy of this sheet.

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

I am the

☐ applicant/inventor.

☐ assignee of record of the entire interest. See 37 CFR 3.71

Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

☒ attorney or agent of record. Registration Number 54,498

☐ attorney or agent under 37 CFR 1.34.

Registration number if acting under 37 CFR 1.34. \_\_\_\_\_



Signature

Jennifer Tousignant

Typed or printed name

May 16, 2007

Date

508-270-2499

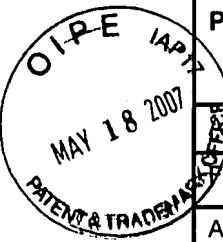
Telephone Number

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☐ Total of \_\_\_\_\_ forms are submitted.

This collection of information is required by 37 CFR 1.136(a). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 6 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.





Patent  
Our Docket: 5026CON

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:	)	Art Unit: 1633
Chester Li et al.	)	Examiner: Nguyen, Quang
Serial No.: 10/632,302	)	
Filed: August 1, 2003	)	
For: GENETIC MODIFICATION OF THE LUNG	)	
AS A PORTAL FOR GENE DELIVERY	)	

BOX AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST-CLASS MAIL IN AN ENVELOPE ADDRESSED TO: COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450**

May 16, 2007  
Date

Michele Silver  
Signature of person mailing correspondence

**PETITION FOR FIVE MONTH EXTENSION OF TIME UNDER 37 C.F.R. § 1.136(a)**

Sir:

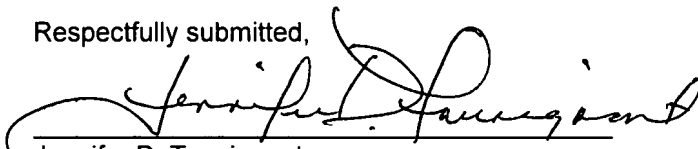
This Petition for a Five Month Extension of Time under 37 C.F.R §1.136(a) is being filed in response to an Office Action mailed April 4, 2006 in connection with the above-referenced patent application. A response to this Office Action was originally due on July 21, 2006. On October 23, 2006, Applicants filed a Notice of Appeal and a Three Month Extension of Time under 37 C.F.R §1.136(a) (October 21, 2006 was a Saturday thus extending the deadline for response to Monday, October 23, 2006). An Appeal Brief was originally due on December 21, 2006. As part of this communication, Applicants are filing this Petition for a Five Month Extension of Time, thereby extending the deadline to file the Appeal Brief to May 21, 2006. Accordingly, this application is pending today, which provides co-pendency with the Continuation application [a continuation of this application serial no. 10/632,302] filed today under 37 C.F.R. § 1.53(b) in which Applicants intent to pursue prosecution of their invention.

Authorization is hereby given to charge the amount of the Petition for the Five Month Extension of Time to Deposit Account No. 07-1074.

May 16, 2007

Date

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Jennifer D. Tousignant", written over a horizontal line.

Jennifer D. Tousignant  
Agent for Applicants  
Registration No. 54,498  
Telephone: (508) 270-2499  
Facsimile: (508) 872-5415

GENZYME CORPORATION  
15 Pleasant Street Connector  
P.O. Box 9322  
Framingham, Massachusetts 01701-9322